IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 1566 OF 2005

IN

SUIT NO. 2100 OF 2003

Jaishankar Munilalsingh Yadav & Anr.....Plaintiffs.

Versus

Jaang Bahadur s/o. Barsati
Rajbar & Ors... ... ... Defendants.

Mr. Rakesh Dave i/by N.N.Vaishnava & Co.,
for the Plaintiffs.

None for the Defendants.

**CORAM : S.C.DHARMADHIKARI, J.**

**DATED : 14TH JUNE, 2006.**

**P.C.:**

Perused the affidavit in support and the affidavit in reply.

2. In my view, the presence of widow / Respondent as party Defendant would assist the Court in effectually and completely resolving the controversy in the suit which is filed for possession of the flour mill belonging to the deceased. The Respondent is the

widow and the suit is filed by the son and grand son. Hence, the Chamber Summons is made absolute in terms of prayer clause (a).

3. The amendments to be carried out within a period of two weeks. Copy of the amended plaint to be served on the newly added Defendant as well as Defendants within a period of four weeks thereafter. Additional written statement, if any, to be filed within a period of eight weeks from the date of the receipt of the amended copy of the Plaint.

4. All contentions of the parties on the issue of limitation as well as merits are expressly kept open.

5. Chamber Summons is disposed of, accordingly. No order as to costs.

Sd/-

**(S.C.DHARMADHIKARI,J.)**